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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/065,285	09/30/2002	John F. Braun	F-560	5700

919 7590 09/23/2005

PITNEY BOWES INC.
35 WATERVIEW DRIVE
P.O. BOX 3000
MSC 26-22
SHELTON, CT 06484-8000

EXAMINER	
SCHAFFER, JONATHAN C	
ART UNIT	**PAPER NUMBER**
2621	

DATE MAILED: 09/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/065,285	BRAUN ET AL.	
	Examiner	Art Unit	
	Jonathan C. Schaffer	2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 September 2002*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-15* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-15* is/are rejected.

7)☒ Claim(s) *14* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *30 September 2002* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *9/30/02 & 8/6/04*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

Claim 14 is objected to because of the following informalities: the claim is a dependant claim based on a system claim and it is claiming a method. It is assumed that this is a simple typographical error and for examination, purposes will be considered to be claiming a system. Appropriate correction is required.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-4, 6, 9-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Reintjes et al. (U.S. Publication Number 2002/0067854 A1).

1. A method for processing form input data comprising:

Reintjes discloses a method, which processes form input data

capturing user stroke data relating to strokes made by a user with a pointing device;

by capturing pen stroke data as an untrained user fills out a form. (pg. 1, ¶. 10, ln. 12-13)

processing the strokes in order to determine form identification data;

The sequence and location of the raw pen-stroke data is analyzed to determine which form was filled out (pg. 1, ¶. 10, ln. 2-11).

retrieving a form template using the form identification data;

The resulting data is then analyzed to determine the identity of the form that was filled out by the user. (pg. 1, ¶. 10, ln. 23-25).

processing the form input data using the form template and the user stroke.

The form input data is then processed and superimposed on stored on form template images for display (pg. 1, ¶. 10, ln. 29-31).

2. The method of claim 1 wherein the pointing instrument is a digital pen and strokes are provided by the user writing on a paper form.

Reintjes discloses a method, which uses an electronic pen (8) in its preferred embodiment (pg. 1, ¶. 10, ln. 25-26).

3. The method of claim 2 further comprising:
processing a pre-determined portion of the stroke data to determine the form identification data.

Reintjes discloses a method, which utilizes predetermined rules associated with the stroke data to identify the form (pg. 3, ¶. 34,36,38,40).

4. The method of claim 2 wherein:

processing stroke data that satisfies pre-determined criteria to determine the form identification data.

Reintjes discloses a method, which utilizes predetermined rules associated with the stroke data to identify the form (pg. 3, ¶. 34,36,38,40).

6. The method of claim 3 wherein:

the pre-determined portion of the stroke data is related to a pre-determined physical portion of the form.

Reintjes discloses a method, which utilizes predetermined rules specifically the Geographical Selection Rule associated with the stroke data to identify the form (pg. 3, ¶. 34).

9. A system for composing a facsimile comprising:

a processor;

Reintjes discloses a system, which is embodied on a computing device and by definition has a processor,

a storage device connected to the processor;

a storage device connected to the processor

the storage device storing a logic program;

and a logic program on the storage device,

the processor operative with the logic program to perform:

which when executed

capturing user stroke data relating to strokes made by a user with a pointing device;

processes form input data by capturing pen stroke data as an untrained user fills out a form. (pg. 1, ¶. 10, ln. 12-13)

processing the strokes in order to determine form identification data;

The sequence and location of the raw pen-stroke data is analyzed to determine which form was filled out (pg. 1, ¶. 10, ln. 2-11).

retrieving a form template using the form identification data;

The resulting data is then analyzed to determine the identity of the form that was filled out by the user. (pg. 1, ¶. 10, ln. 23-25).

and processing the form input data using the form template and the user stroke.

The form input data is then processed and superimposed on stored on form template images for display (pg. 1, ¶. 10, ln. 29-31).

10. The system of claim 9 wherein the pointing instrument is a digital pen and strokes are provided by the user writing on a paper form.

Reintjes discloses a system, which uses an electronic pen (8) in its preferred embodiment (pg. 1, ¶. 10, ln. 25-26).

11. The system of claim 10 further comprising the processor operative with the logic program to perform:

processing a pre-determined portion of the stroke data to determine the form identification data.

Reintjes discloses a system, which utilizes predetermined rules associated with the stroke data to identify the form (pg. 3, ¶. 34,36,38,40).

12. The system of claim 10 further comprising the processor operative with the logic program to perform:
processing stroke data that satisfies pre-determined criteria to determine the form identification data.

Reintjes discloses a system, which utilizes predetermined rules associated with the stroke data to identify the form (pg. 3, ¶. 34,36,38,40).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 5, 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reintjes et al. (U.S. Publication Number 2002/0067854 A1) as applied to claims 1-4, 6, and 9-12 above, and in view of Lowitz (US Patent Number 3,273,123).

5. The method of claim 4 wherein:

the pre-determined criteria includes font criteria.

Reintjes discloses a method, which using input data identifies which form is being filled out using pre-determined criteria, Reintjes however does not disclose font information as being part of that criteria. Lowitz discloses a character recognition method, which utilizes the fact that for certain fonts or styles of characters there is a minimum number of scanning strokes of predetermined configuration which, if properly positioned over the characters, may be used to develop sufficient in formation to adequately identify the characters (col. 2, l. 37-41). It would have been obvious, at the time the invention was made, to one of ordinary skill in the art to utilize Reintjes's form identification method with Lowitz's character recognition method in order to more accurately identify the form being written on, or more accurately identify the user, or to allow for one more quantifiable difference between forms, because knowing the type of font being used is necessary to better recognize the characters being written.

13. The system of claim 12 wherein:

the pre-determined criteria includes font criteria.

Reintjes discloses a system, which using input data identifies which form is being filled out using pre-determined criteria, Reintjes however does not disclose font information as being part of that criteria.

Lowitz discloses a character recognition system, which utilizes the fact that for certain fonts or styles of characters there is a minimum number of scanning strokes of predetermined configuration which, if properly positioned over the characters, may be used to develop sufficient in formation to adequately identify the characters (col. 2, l. 37-41). It would have been obvious, at the time the invention was made, to one of ordinary skill in the art to utilize Reintjes's form identification system with Lowitz's character recognition system in order to more accurately identify the form being written on, or more accurately identify the user, or to allow for one more quantifiable difference between forms, because knowing the type of font being used is necessary to better recognize the characters being written.

5. Claims 7-8, 14-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reintjes et al. (U.S. Publication Number 2002/0067854 A1) as applied to claims 1-4, 6, and 9-12 above, and in view of Close (US Patent Number 1,684,756).

7. The method of claim 2 wherein the form identification data includes a form serial number printed on the form.

Reintjes discloses a method, which using input data identifies which form is being filled out using pre-determined criteria, Reintjes however does not disclose serial numbers being printed on the forms. Close discloses paper forms that have serial numbers printed on them (pg. 3, col. 1, l. 45-55). It would have been obvious at the time the invention was made to one of ordinary skill in the art to utilize Reintjes's form identification method with Close's serial numbered paper forms in order to more accurately identify the form being written on, or more accurately identify the user, or to allow for one more quantifiable difference between forms. Further, the use of serial numbers to identify a particular type of form or user has been in use for many decades as shown by Close.

8. The method of claim 7 wherein the form serial number printed on the form includes a dashed font

Reintjes discloses a method, which using input data identifies which form is being filled out using pre-determined criteria, Reintjes however does not disclose serial numbers being printed on the forms. Close discloses paper forms that have serial numbers printed on them (pg. 3, col. 1, l. 15-25). Official Notice is being taken that it is old and well known in the art to dash a character to indicate that it is to be traced (MPEP 2144.03). It would have been obvious at the time the invention was made to one of ordinary skill in the art to utilize Reintjes's form identification method with Close's serial numbered paper forms with the obvious addition of making the serial number on the forms a dashed font in order to indicate what should be traced over by the user.

14. The method of claim 11 wherein:
the pre-determined portion of the stroke data is related to a pre-determined physical portion of the form;
and the form identification data includes a form serial number printed on the form.

Reintjes discloses a system, which using input data identifies which form is being filled out using pre-determined criteria, Reintjes however does not disclose serial numbers being printed on the forms. Close discloses paper forms that have serial numbers printed on them (pg. 3, col. 1, l. 45-55). It would have been obvious at the time the invention was made to one of ordinary skill in the art to utilize Reintjes's form identification system with Close's serial numbered paper forms in order to more accurately identify the form being written on, or more accurately identify the user, or to allow for one more quantifiable difference between forms. Further, the use of serial numbers to identify a particular type of form or user has been in use for many decades as shown by Close.

15. The system of claim 14 wherein-the form serial number printed on the form includes a dashed font.

Reintjes discloses a system, which using input data identifies which form is being filled out using pre-determined criteria, Reintjes however does not disclose serial numbers being printed on the forms. Close discloses paper forms that have serial numbers printed on them (pg. 3, col. 1, l. 15-25). Official Notice is being taken that it is old and well known in the art to dash a character to indicate that it is to be traced (MPEP 2144.03). It would have been obvious at the time the invention was made to one of ordinary skill in the art to utilize Reintjes's form identification system with Close's serial numbered paper forms with the obvious addition of making the serial number on the forms a dashed font in order to indicate what should be traced over by the user.

Conclusion

The prior art made of record and not relied upon is considered pertinent to the applicant's disclosure. Rom (U.S. Publication Number 20020146170 A1) discloses a form identification system which uses the spatial relationship of the input data to identify the form. Carini et al. (U.S. Patent Number 6,456,740) discloses a system and method for identifying form types in a handwriting recognition system. Clary et al. (U.S. Patent Number 6,259,043) discloses a method and system for real time digitization of handwritten text using a digital pen and pad. Crooks et al. (U.S. Patent Number 5,587,560) discloses a portable handwriting capture device. Comerford et al. (U.S. Patent Number 5,243,149) discloses a method and apparatus for improving the paper interface to computing systems.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan C. Schaffer whose telephone number is (571)272-0603. The examiner can normally be reached on 7:30am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Mancuso can be reached on (571)272-7695. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JCS